

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

PLAYTEX PRODUCTS INC.,

Plaintiff,

-vs-

Case No. C-1-02-391

PROCTER & GAMBLE CO.,

Defendant.

AMENDED ORDER SETTING NEW BRIEFING AND TRIAL SCHEDULE

This matter was before the Court for a scheduling conference on April 28, 2005. As a result of that conference the Court would ORDER that the following briefing and trial schedule be set:

- | | |
|---|----------------------------------|
| 1. Supplemental expert reports regarding liability
in light of the Federal Circuit Court of Appeals
decision: | |
| Defendant's: | <u>July 29, 2005</u> |
| Plaintiff's rebuttal: | <u>August 31, 2005</u> |
| 2. Cut-off for fact discovery regarding damages: | <u>September 30, 2005</u> |
| 3. Cut-off for depositions of experts regarding liability: | <u>September 30, 2005</u> |
| 4. Exchange expert reports regarding liability: | <u>October 31, 2005</u> |
| 5. Cut-off for depositions of experts regarding liability : | <u>December 15, 2005</u> |
| 6. Motions not directed to the pleadings: | <u>January 15, 2006</u> |
| 7. Joint final pretrial order to be filed by: | <u>June 7, 2006</u> |

8. Final pretrial conference (in chambers):

June 13, 2006
at 3:30 p.m.

9. Jury trial:

July 17, 2006

DONE and **ORDERED** in Dayton, Ohio, this 17 day of May, 2005.

s/Thomas M. Rose

THOMAS M. ROSE, JUDGE
UNITED STATES DISTRICT COURT